



# PROPOSED RULE MAKING

**CR-102 (June 2004)**

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule makingAgency: **BOARD OF PILOTAGE COMMISSIONERS**

- ☒ Preproposal Statement of Inquiry was filed as WSR **07-08-071** ; or  
☐ Expedited Rule Making--Proposed notice was filed as WSR \_\_\_\_\_; or  
☐ Proposal is exempt under RCW 34.05.310(4).

- ☒ Original Notice  
☐ Supplemental Notice to WSR \_\_\_\_\_  
☐ Continuance of WSR \_\_\_\_\_

Title of rule and other identifying information: (Describe Subject)

**WAC 363-116-082: Limitations on New Pilots**

Hearing location(s):

2901 Third Avenue  
4<sup>th</sup> Floor, Rainier Conference Room  
Seattle, WA 98121

**Date:** August 9, 2007 **Time:** 9:30 a.m.**Date of intended adoption:** August 9, 2007(Note: This is **NOT** the effective date)

Submit written comments to:

Name: **Captain Harry Dudley, Chairman**Address: **2901 Third Avenue, Suite 500  
Seattle, WA 98121**e-mail larsonp@wsdot.wa.govfax (206)515-3906 by (date) August 2, 2007

Assistance for persons with disabilities: Contact

Judy Bell by August 6, 2007TTY ( ) \_\_\_\_\_ or (206) 515-3647

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The proposed rule modifies the requirements and the procedure for lifting pilot license limitations for a Grays Harbor Pilot, during his/her second license year. License upgrade trips on small tankers are added and the number of trips on other vessels is adjusted. It is intended to separate the two types of vessel categories so that as each requirement is fulfilled the appropriate limitation is lifted independently of the other.

Since there is currently only one pilot in the Grays Harbor Pilotage District who holds an unlimited license, these modifications are intended to alleviate certain hardships and safety concerns this situation may present.

Reasons supporting proposal:

Due to changes in vessel traffic calling in Grays Harbor, it is necessary to adjust the pilot license upgrade requirements and procedures to allow a second-year pilot to complete the process in a more timely manner.

Statutory authority for adoption:

**RCW 88.16.035 and RCW 88.16.105**

Statute being implemented:

**Chapter 88.16 RCW**

Is rule necessary because of a:

- Federal Law? ☐ Yes ☒ No  
Federal Court Decision? ☐ Yes ☒ No  
State Court Decision? ☐ Yes ☒ No  
If yes, CITATION:

DATE

June 19, 2007

NAME

Peggy Larson

SIGNATURE

TITLE

**Administrator**

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: **June 19, 2007**TIME: **2:17 PM****WSR 07-13-092**

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

**This rule was filed under emergency provisions on April 19, 2007 and it is the intent of the Board to retain the rule permanently.**

**The Board may adopt a rule that varies from the proposed rule upon consideration of presentations and written comments from the public and any other interested parties.**

**Name of proponent:** (person or organization)

**Board of Pilotage Commissioners**

☐ Private  
☐ Public  
☒ Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting.....Board of Pilotage Commissioners	2901 Third Avenue, Seattle, WA 98121	(206) 515-3904
Implementation....Board of Pilotage Commissioners	2901 Third Avenue, Seattle, WA 98121	(206) 515-3904
Enforcement.....Board of Pilotage Commissioners	2901 Third Avenue, Seattle, WA 98121	(206) 515-3904

**Has a small business economic impact statement been prepared under chapter 19.85 RCW?**

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

☒ No. Explain why no statement was prepared.

**The application of the proposed modifications is clear in the description of the proposal and its anticipated effects as well as the attached proposed language.**

**Is a cost-benefit analysis required under RCW 34.05.328?**

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

☒ No: Please explain:

**RCW 34.05.328 does not apply to this rule adoption. The Washington State Board of Pilotage Commissioners is not a listed agency in RCW 34.05.328(5)(a)(i).**